

**IVINS CITY  
PLANNING COMMISSION  
MINUTES  
October 13, 2015  
435-628-0606**

**1) WELCOME AND CALL TO ORDER**

The meeting was called to order at 5:30 pm. All present included Commissioner Bryan Pack, Chairman Jeff Loris, Commissioner Mike Scott and Commissioner Lance Anderson.

Commissioner Adel Murphy arrived at 5:55 p.m.

**Staff Attending:** Dale Coulam-City Manager/Attorney, Kevin Rudd-Building and Zoning Administrator, Sharon Allen-Deputy City Recorder.

**Audience Attending:** Michael Scheidle, Jeffrey Scheidle, Allen and Sandi Ralphs, Ken Miller, Jane Blackwell, Brandee Walker, Kathy Barth, Jay Beacham, as well as others who did not sign in.

**A. Acknowledgement of Quorum**

**B. Flag Salute--Commissioner Mike Scott**

**C. Invocation--Commissioner Bryan Pack**

**D. Disclosures**

**Commissioner Lance Anderson** stated that he has a conflict with Posovi 11-F. **Commissioner Mike Scott** was involved in developing the Arts Master Plan. No other conflicts.

**2) REPORTS AND PRESENTATIONS-- None**

**3) BUSINESS LICENSES -None**

**4) PUBLIC HEARING AND ACTION ITEMS**

**A. Public Hearing on implementation of the proposed Arts Master Plan.**

**Commissioner Mike Scott** stated that the Mayor asked the Commission to consider developing an Arts Master Plan and incorporating it into the General Plan. A sub-committee of nine of us met every two weeks and had homework assignments and developed this proposed Arts Master Plan as well as a recommendation document for this body and Council to look over and approve. This is for art, art education, installation art, performance art, etc. **Chairman Jeff Loris** opened the Public Hearing. Hearing no comments, **Chairman Jeff Loris** closed the Public Hearing.

**B. Discuss and consider recommendation of the proposed Arts Master Plan.**

**Commissioner Bryan Pack** and **Commissioner Lance Anderson** stated they had no concerns.

**MOTION: Commissioner Bryan Pack moved to approve recommendation of the proposed Arts Master Plan.**

**SECOND: Commissioner Lance Anderson**

**VOTE: The motion carried.**

Commissioner Lance Anderson	AYE
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE
Chairman Jeff Loris	AYE
Commissioner Adel Murphy	ABSENT

**C. Public Hearing on Silver Sage Preliminary Plan, located at approximately 495 W.**

**Center. Development Solutions-Applicant. LeGrand Hafen and Douglas Hafen-Owner.**

**Kevin Rudd** stated that this is directly across the street at Tenaya Sands. The property is zoned RE-15. This property has been zoned that for 10 plus years. They've owned it 20+ years. At the end of the subdivision there will be a landscape buffer along it and they will continue to improve 200 South. The road shows it connecting through to 600 West. This is a conventional subdivision with a lot averaging overlay which allows them flexibility on lot size. The cumulative total must average 15000 sq feet but 25% of the lots can be less than 15000 sq ft so long as they are at least 75% of 15000 sq ft in size. There are approximately 6 lots that are less than 15000 sq ft but the other lots are larger lots. It is compliant with the lot averaging overlay. Staff reviewed the subdivision and brings it forward to recommend approval. It complies with our subdivision and zoning ordinances. **Chairman Jeff Loris** opened the Public Hearing. Jay Beacham stated there is a cow corral south of there. This used to be cow pasture. He inquired what happens to those cows? **Kevin Rudd** stated that Ron Blake will continue to have his corrals there and they are pre-existing and he is allowed to use those. The homeowners that build there will be aware that there are cows there. **Jay Beacham** inquired when it was greenbelt agricultural they paid less than \$50.00 property taxes, and now there will be a great tax increase. Was that part of the City's decision making process? **Commissioner Lance Anderson, Chairman Jeff Loris and Commissioner Bryan Pack** stated it was never a thought for them. **Dale Coulam** stated that it wasn't even a factor and the reason being that with this zoning they are legally entitled to develop 15,000 sq ft lots because it was already zoned that way. We can't really deny the application because it is zoned for that use, so as long that it complies with the zoning. Hearing no other comments, **Chairman Jeff Loris** closed the Public Hearing.

**D. Discuss and consider recommendation on Silver Sage Preliminary Plan, located at approximately 495 W. Center. Development Solutions-Applicant. LeGrand Hafen and Douglas Hafen-Owner.**

**Commissioner Bryan Pack** stated he is in favor. **Chairman Jeff Loris** inquired about Lot 11 that has a detention basin that drains into 200 South. Ken Miller stated that because there was no storm drain close to this site, it will be a detention basin with a surface overflow and they will be using dry wells to drain the basin. **Chairman Jeff Loris** stated that the water flows North to South in this area. He just wanted to be sure that was looked at. Ken Miller stated that it is designed to handle the excess for this subdivision and it is for 100 year flood. **Commissioner Bryan Pack** inquired how the subdivision ties into something in the future? Ken Miller stated they laid out the other tie-ins without the other property owner's input, but they made sure it can work with the adjacent property. It would be almost a mirror image subdivision. **Commissioner Lance Anderson** stated that what they did makes sense. That way there are not a bunch of entrances into the subdivision.

**MOTION: Commissioner Bryan Pack moved to approve recommendation on Silver Sage Preliminary Plan, located at approximately 495 W. Center. Development Solutions-Applicant. LeGrand Hafen and Douglas Hafen-Owner.**

**SECOND: Commissioner Mike Scott**

**VOTE: The motion carried.**

Commissioner Lance Anderson	AYE
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE
Chairman Jeff Loris	AYE
Commissioner Adel Murphy	ABSENT

## 5) DISCUSSION AND POTENTIAL ACTION ITEMS

### A. Discuss and consider approval of the Final plat for Cantera Cliffs, located at approximately 200 N. and 400 W. Faction LLC-Applicant. VWMW Investments LLC-Owner.

**Kevin Rudd** stated that no changes have been made. This is a five-acre parcel North of Tenaya Sands, which will mirror Redstone subdivision across from it. The storm drainage will come and release into a retention basin and they have an easement to go into Tenaya Sands streets. The storm drainage is only for this subdivision; 200 North will block water from the north so Tenaya Sands will not have the problems they've had in the past with the runoff. One thing to note, on the mylar the ROW may be larger than shown on here. It will require the property owner to the North, if they are willing to cooperate, to dedicate some additional property so we have more road for the 200 North improvements. It is the Ence family and they are agreeable to it so it will have that signature block for them and that additional change on it. TRC has reviewed this and we do bring it forward to you for approval. **Chairman Jeff Loris** inquired if the width of 200 North matches this new area? **Kevin Rudd** stated that yes, the curb and gutter will also be finished across the back of Tenaya Sands and Phase 2 of Tenaya Sands was approved conditioned that when this property was developed this portion of the road would be completed. Ence will finish that off. The storm drain will come down to 400 West or over to 600 West. **Commissioner Lance Anderson** stated that it should go to 600 West. He inquired doesn't it break in the middle of these lots? **Chairman Jeff Loris** stated there is a rise between Lots 1 and 14 to keep the water from coming in. The rest goes to the detention basin and drainage area. **Commissioner Mike Scott** stated that the location is wrong on the vicinity map. It shows it is on top of Redstone Estates. **Dale Coulam** stated the Commission can just approve it as is without conditioning it on the additional ROW from a third party.

**MOTION: Commissioner Bryan Pack moved to approve the Final plat for Cantera Cliffs, located at approximately 200 N. and 400 W. Faction LLC-Applicant. VWMW Investments LLC-Owner.**

**SECOND: Commissioner Mike Scott**

**VOTE: The motion carried.**

Commissioner Lance Anderson	AYE
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE
Chairman Jeff Loris	AYE
Commissioner Adel Murphy	ABSENT

### B. Discuss and consider approval of the Final plat for Posovi Phase II-F located at approximately Uwan Drive and Talatawi Way. Lance Anderson-Applicant. Kayenta Community Development, Inc.-Owner.

**Kevin Rudd** stated this is at the top of Kayenta. It is a one lot Final Plat. It conforms with the approved Preliminary Plan by the City Council and TRC brings it forward with recommendation of approval. (**Commissioner Adel Murphy** arrived and stated she had no conflicts with the agenda.

**MOTION: Commissioner Bryan Pack moved to approve the Final plat for Posovi Phase II-F located at approximately Uwan Drive and Talatawi Way. Lance Anderson-Applicant. Kayenta Community Development, Inc.-Owner.**

**SECOND: Commissioner Mike Scott**

**VOTE: The motion carried.**

Commissioner Adel Murphy	AYE
Commissioner Lance Anderson	ABSTAINED
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE
Chairman Jeff Loris	AYE

**C. Discuss and Review Zoning Ordinance Text.**

**Kevin Rudd** stated that on the casita ordinance right now if someone builds one on an existing home, they have to go through a CUP process. In reality, if they conform with the casita ordinance, it is an unnecessary burden of a public hearing for them to go through. If a casita is built on a new home, staff is able to issue the building permit. We feel on a casita on an existing home, staff should also be able to issue a building permit based on the casita ordinance. The changes begin at Item #14 Permits Required. He suggests striking that out and simply saying if it complies with all requirements for a guest house or a casita, then a building permit can be issued.

**Commissioner Lance Anderson** stated the Commission has never made a change when these are brought to us. **Commissioner Mike Scott** stated if it complies, then we can't deny it anyway. **Kevin Rudd** Utah Code does not require public hearings on a CUP. In every zone, we have a list of uses allowed in those zones. He provided Chapter 33 Table of Uses and its CUP classifications. It might be a good exercise for the Commission to go through and discuss at the next meeting to see what really needs a public hearing. He suggested creating another category on the CUP's that would be a public meeting to look at the CUP with a recommendation given to the City Council. Then they make the final decision. The public hearing should be during the zoning. All we can do after that point is make sure they follow our ordinances. **Dale**

**Coulam** stated that CUP means it is permitted use but we can impose conditions. It is frustrating to the public thinking they can stop a project and yet they legally cannot. We are making more burden and expense to the applicant and frustrating citizens in the process. **Chairman Jeff**

**Loris** stated the Commission will review the table of uses and see where we can make things smoother. He saw a lot of frustration with the short-term rental public hearings. **Kevin**

**Rudd** stated yes that was when City Council made a separate recommendation other than what the Planning Commission made. **Chairman Jeff Loris** stated that the Commission will plan on reviewing that document. **Kevin Rudd** stated that Items Class 4-5 CUP's require public hearings, Class 1-3 CUP's do not require a public hearing, staff can approve Class 1 and 2 CUP's and Class 3 CUP's are approved by the Planning Commission at a public meeting here but no public hearing. He stated on administrative issues to require TRC approval so it is not just the building department looking at it so there is more than one set of eyes.

**D. Discuss and consider approval of the Ivins City Planning Commission minutes for Sept 15, 2015.**

**MOTION: Commissioner Bryan Pack moved to approve the Ivins City Planning Commission minutes for Sept 15, 2015.**

**SECOND: Commissioner Adel Murphy**

**VOTE: The motion carried.**

Commissioner Adel Murphy	AYE
Commissioner Lance Anderson	AYE
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE
Chairman Jeff Loris	AYE

**6) REPORTS**

**A. Planning Commission**

**B. Chairman**

**C. Building & Zoning Administrator, Kevin Rudd**

Next meeting is November 17 because of the election.

**D. City Attorney, Dale Coulam**

**E. Items to be placed on future agendas**

**Dale Coulam** stated that Rocky Vista University may possibly be in on November 17th. We are waiting for them to file the application and it will need two weeks' notice. It would be a Class IV CUP that would be considered. The mixed use overlay and plan would be Council's to review.

**7) ADJOURNMENT**

**MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT**

**SECOND: Commissioner Mike Scott**

**VOTE: The motion carried.**

Commissioner Adel Murphy	AYE
Commissioner Lance Anderson	AYE
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE
Chairman Jeff Loris	AYE